

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CHRISTOPHER J. WALSH, as he is ADMINISTRATOR,
CONSTRUCTION TEAMSTERS HEALTH AND
WELFARE FUND and INTERNATIONAL
BROTHERHOOD OF TEAMSTERS, LOCAL 379,
Plaintiffs

vs.

HILEE, INC.,
Defendant

and

GIOIOSO BROS., INC. and THE MCCOURT
CONSTRUCTION COMPANY, INC.,
Reach-and-Apply Defendants

and

FLEET BANK,
Trustee

C.A. No. 05-10010 EFH

VERIFIED REQUEST TO ENTER DEFAULT

Plaintiffs Christopher J. Walsh, as he is Administrator, Construction Teamsters Health and Welfare Fund ("Fund"), request the Clerk to enter the default of defendant Hilee, Inc.

(hereinafter "Hilee"). This request is made pursuant to Rule 55(a), Fed.R.Civ.P. In support of this request, the Plaintiffs say:

- 1) This action was filed on December 30, 2004.
- 2) Complaint was served on defendant Hilee on June 30, 2005, after this honorable Court, by Orders dated April 15 and June 2, 2005, had granted Plaintiffs' Motions for an Extension of Time to Serve Complaint on Defendant.

- 3) Defendant Hilee has never filed an Answer or a responsive pleading to the Complaint.

WHEREFORE, plaintiffs seek the entry of Default in this matter.

Respectfully submitted,

CHRISTOPHER WALSH, as he is
ADMINISTRATOR, of the
CONSTRUCTION TEAMSTERS
HEALTH AND WELFARE FUND, et al.

By their attorneys,

/s/ Gregory A. Geiman
Anne R. Sills, Esquire
BBO #546576
Gregory A. Geiman
BBO #655207
Segal, Roitman & Coleman
11 Beacon Street, Suite #500
Boston, MA 02108
(617) 742-0208

Dated: August 5, 2005

VERIFICATION

I, Gregory A. Geiman, verify that I have read this Verified Request to Enter Default and that the facts set out in the Request are true to the best of my knowledge and belief.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire

CERTIFICATE OF SERVICE

This is to certify that a copy of the above Verified Request to Enter Default has been served by certified and first class mail upon Defendant, Hilee, Inc. at 100 Tremont Street, Everett, MA 02149 this 5th day of August, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire